

REMARKS

This paper is in response to the Office Action dated July 30, 2007. Claims 1, 2, 9, 10, and 12–16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,035,912, to Ballas et al. Claims 3-8, 11, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ballas patent in view of U.S. Patent No. 6,581,292, to Allis.

In the following remarks, references are made to certain paragraphs and figures of the current patent application as examples by which claimed subject matter may be understood as differentiated from the references cited in the Office Action. These references relate to the published version of the current patent application, namely Pub. No. US 2006/0048395 A1, which was published on March 9, 2006. The following remarks may refer nominally to several patentable distinctions as first, second, and beyond, for mere convenience without any acquiescence that any one distinction holds importance over any others. Each described distinction alone demonstrates the patentability of the claims over the cited references. For the sake of brevity, and in view of the references particularly cited in the Office Action, the following remarks refer only to several of many patentable distinctions present in the claims. Applicants reserve the right to draw attention to other patentable distinctions present in the claims if necessary in future communications. Underlined portions of the following remarks draw attention particularly to the patentable distinctions without regard to any text added to the claims by the amendments presented herein.

Independent Claim 1

Independent Claim 1, as amended herein, relates to a cutting head having a passageway for a strand of cutting string. In a first patentable distinction, the cutting head is characterized in that the passageway is rectilinear and offset from a central axis of the head and opens at two ends at the periphery of the cutting head. For example, a rectilinear passageway 112 is shown in FIG. 4 without a strand of cutting string, and is shown in FIG. 9 with a strand of cutting string 300 disposed in the passageway. As shown in FIG. 4, the passageway 112 opens at two ends, namely openings 113 and 115, at the periphery of the cutting head.

Furthermore, the cutting head in Claim 1 includes a one-way locking element, whereby, in a second patentable distinction, a strand of cutting string can be readily inserted into the passageway from a first end opening thereof and extracted from the passageway from the second end opening thereof. For example, in FIG. 9, and as described in paragraphs [0081] and [0084], a cutting string 300 is inserted into the opening 115 in the direction of the arrow F' and can be removed from the passageway through the opposite opening 113. Bearing in mind that the openings 115 and 113 are disposed along the periphery of the cutting head, Claim 1, in a second patentable distinction thereof, relates to a cutting head in which a strand of cutting string can be inserted into one peripheral portion of the head and extracted from another peripheral portion of the head.

Claim Rejections Under 35 U.S.C. § 102(b)

Claim 1 and several claims depending therefrom have been rejected as being anticipated by the Ballas patent. However, the Ballas patent fails to anticipate either of the first and second patentable distinctions described above. The Ballas patent illustrates and describes cutting assemblies in which cutting strings extend from internal spools through windows formed at outward ends of exit channels.

With regard to the first patentable distinction, the Ballas patent fails to anticipate a cutting head characterized in that a cutting line passageway is open at two ends at the periphery of the cutting head. As illustrated in FIG. 4 and as described in lines 9-19 of column 9 of the Ballas patent, each exit channel 51A-51D has only one open end defined at the periphery of the head as a respective window 70A-D. This is consistent with FIG. 8 of the Ballas patent wherein two cutting lines are shown to extend from a cutting head in lieu of the four shown in FIG. 4. Throughout the Ballas patent, each cutting line extends from an internally disposed spool and passes through only a single peripheral window. The Ballas patent fails to disclose a cutting line passageway open at two ends at the periphery of a cutting head and therefore fails to anticipate Claim 1 of the current patent application with regard to the first patentable distinction. Accordingly, Applicants respectfully request that these rejections be withdrawn.

With regard to the second patentable distinction, the Ballas patent fails to anticipate a cutting head in which a strand of cutting string can be inserted into one peripheral portion of the head and extracted from another peripheral portion of the head. Each cutting line in the Ballas patent enters a cutting line passageway from a spool through a non-peripheral opening. The Ballas therefore fails to anticipate Claim 1 of the current patent application with regard to the second patentable distinction. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 3-8, 11, 14, and 15 have been rejected as being unpatentable over the Ballas patent in view of the Allis patent. However, these claims depend directly or indirectly from Claim 1, which is patentable over each of the Ballas and Allis patents, and over their combination, according to each of the first and second patentable distinctions described above. The Ballas patent alone fails to anticipate or render obvious the first and second patentable distinctions as described above with regard to the Claim Rejections Under 35 U.S.C. § 102(b). The Allis patent fails to provide any additional disclosure or suggestion toward these patentable distinctions.

In contrast to the first patentable distinction of Claim 1 of the current patent application, no string passageway in the Allis patent opens at two ends along the periphery of a cutting head. The Allis patent illustrates and describes a trimmer apparatus in which each string passageway has a radially inward open end and a radially outward open end. For example, each of the two independent passageways 40 in FIG. 3 of the Allis patent has only one peripheral opening. The passageways 40 in FIG. 3 cannot be construed to constitute a single string passageway as each clearly receives its own cutting member 18 in FIG. 4. Thus, the multiple peripheral openings shown in the drawings of the Allis patent correspond respectively to multiple passageways in one-to-one correspondence such that no string passageway opens at two ends along the periphery of a cutting head.

In view of these remarks toward the Allis patent and those above toward the Ballas patent, each of these patents alone, and their combination fail to render Claim 1 obvious

according at least to the first patentable distinction of Claim 1, in which, as described above, a cutting head is characterized in that a cutting-string passageway opens at two ends at the periphery of the cutting head. Therefore independent Claim 1, and all claims that depend therefrom, are patentable over the Ballas and Allis patents. Accordingly, Applicants respectfully request that these rejections be withdrawn.

In contrast to the second patentable distinction of Claim 1 of the current patent application, no cutting string in the Allis patent can be inserted into one peripheral portion of the head and extracted from another peripheral portion of the head. The Allis patent illustrates and describes a trimmer apparatus in which fresh cutting members are inserted into peripheral openings of a trimmer head, and, once damaged or worn, the cutting members are removed through radially inward (non-peripheral) discharge openings. As illustrated in FIGs. 3-4 and described in lines 10 through 38 of column 5 of the Allis patent, each cutting member 18 is inserted into a respective passageway 40 through an opening in the periphery of the body member 12. A cleat member 52 forcibly biased by a spring 50 grasps the cutting member and prevents its exit through the peripheral opening as the trimmer head 16 is rotated. The cleat member, however, permits the cutting member to be removed through a discharge opening 62 by permitting the cutting member to travel radially inward along the passageway 40. Clearly no cutting string can be extracted from a peripheral portion of the trimmer head in the Allis patent.

In view of these remarks toward the Allis patent and those above toward the Ballas patent, each of these patents alone, and their combination fail to render Claim 1 obvious according at least to the second patentable distinction of Claim 1, in which, as described above, a strand of cutting string can be inserted into one peripheral portion of a cutting head and extracted from another peripheral portion of the head. Therefore independent Claim 1, and all claims that depend therefrom, are patentable over the Ballas and Allis patents. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Rejected Dependent Claims 2-16 and New Dependent Claim 17

The patentability of the sole independent claim, namely Claim 1, has been argued as set forth above and thus Applicants will not take this opportunity to argue the merits of the

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rejections with regard to the dependent claims. However, Applicants do not concede that the dependent claims are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

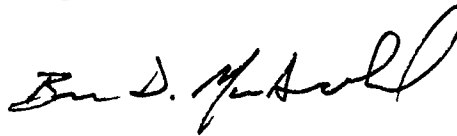
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CONCLUSION

In view of the remarks presented above, it is respectfully submitted that Claim 1 and all claims depending therefrom, namely Claims 2–16, are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned representative to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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